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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,674	03/07/2002	Stephen C. Larson	SCL-1	3784

7590 08/05/2005

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EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action
Before the Filing of an Appeal Brief

Application No.

10/092,674

Applicant(s)

LARSON, STEPHEN C.

Examiner

Quoc A. Tran

Art Unit

2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 July 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
8/3/2005

10/092,674

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant's arguments filed 07/22/2005 have been fully considered but they are not persuasive. In response to applicant's arguments on pages 2-10, for claims 1-8, 9-12 and 21, Applicant argues the rejection under 35 USC 103, Obviousness (see Remarks, pages 2-10). To concisely address the elaborate arguments presented, the Examiner respectfully disagrees for the detailed reasons stated in the rejection of each claim limitation previously presented in Office Action mail date 06/02/2005 (please see rejections for detail).

Additionally, the main thrust of the applicant's argument is Reilly and Chui are not properly combined. The Examiner disagrees. Using the broadest reasonable interpretation of the claims, the Reilly reference teaches and/or suggests all limitations of claim 1 but by the application of anti-aliasing, however Chui at col. 16, lines 4-35, discloses the internet communication net work between internet/web server and clients' devices, provides the image down-sample and anti-aliasing which is used to reduce the size of the image for displaying in the smaller space and linking to each other using image file header, html or html-like). In further support of the previous Office Action, please note the following:

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Reilly, discloses an electronic news/advertisement, where is distributing in the www server/client environment, having many client computers and at least one information server computer which will be located within a common local area network (LAN), and are connected to a LAN server 108, further each subscriber's computer 102 is connected to the information server 104 via the Internet (see Reilly co. 3 line 65 through col. 14 line 20, also see Fig. 1 Sheet 1 of 10), Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein an on-line newspaper publishing system would have been an obvious variant of Reilly's electronic news/advertisement publishing system to a person of ordinary skill in the art at the time the invention was made, to include a means of providing a distributed computer system, including a web server and a number of client computers, for distributing multi-resolution images to the client computers via a global communications network, such as the Internet, or any other appropriate communications network, such as a local area network or Intranet. An imaging encoding workstation prepares multi-resolution image files for distribution by the web server. In some embodiments, the web server may also perform the image encoding tasks of the image encoding workstation While most client computers are desktop computers, such as IBM compatible computers and Macintosh computers (see Chui at co. 5 line 56 through col. 6 line 33, also see Fig. 1 Sheet 1 of 18), Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein an on-line newspaper publishing system featuring the application of anti-aliasing would have been an obvious variant of communications network, such as the Internet, or any other appropriate communications network, such as a local area network or Intranet utilizing the image down-sample and anti-aliasing which is used to reduce the size of the image for displaying in the smaller space and linking to each other using image file header, html or html-like of Chui, to a person of ordinary skill in the art at the time the invention was made.

One of ordinary skill in the art would have been motivated to perform such a modification for presenting the image down-sample and anti-aliasing which is used to reduce the size of the image for displaying in the smaller space and linking to each other using image file header, html or html-like in the client /server environment (i.e. internet or LAN) as taught by Chui at co. 5 line 56 through col. 6 line 33, also see Fig. 1 Sheet 1 of 18), and further advantage of mixing advertisements with information dissemination are newspapers in a dynamic and easy to read manner, (as taught by Reilly at col.1, line 35 through col. 2, line 60).

Therefore the rejection of claim 1 was proper, which lead to the rejection of claim 9, which incorporates substantially similar subject matter as cited above, and in further view of the following, and is similarly rejected along the same rationale, digital copy from a print media source, however (as taught by Mitchell at col. 5, lines 35-40, i.e. converting paper documents into a hypertext-based format so that they can be accessed through networks such as the Internet or on media such as disk or CD-ROM).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Reilly, discloses an electronic news/advertisement, where is distributing in the www server/client environment, having many client computers and at least one information server computer which will be located within a common local area network (LAN), and are connected to a LAN server 108, further each subscriber's computer 102 is connected to the information server 104 via the Internet (see Reilly co. 3 line 65 through col. 14 line 20, also see Fig. 1 Sheet 1 of 10), Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein an on-line newspaper publishing system would have been an obvious variant of Reilly's electronic news/advertisement publishing system to a person of ordinary skill in the art at the time the invention was made, to include a means of providing a distributed computer system, including a web server and a number of client computers, for distributing multi-resolution images to the client computers via a global communications network, such as the Internet, or any other appropriate communications network, such as a local area network or Intranet. An imaging encoding workstation prepares multi-resolution image files for distribution by the web server. In some embodiments, the web server may also perform the image encoding tasks of the image encoding workstation While most client computers are desktop computers, such as IBM compatible computers and Macintosh computers (see Chui at co. 5 line 56 through col. 6 line 33, also see Fig. 1 Sheet 1 of 18), Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein an on-line newspaper publishing system featuring the application of anti-aliasing would have been an obvious variant of communications network, such as the Internet, or any other appropriate communications network, such as a local area network or Intranet utilizing the image down-sample and anti-aliasing which is used to reduce the size of the image for displaying in the smaller space and linking to each other using image file header, html or html-like of Chui, to a person of ordinary skill in the art at the time the invention was made, further to includes a means of utilizing the conversion print copy to digital format, wherein (browser) component allows the user to access the resultant document using several different potential user applications, depending on the form of the electronic document Internet users may easily access the translated documents regardless of geography (see Michell at col. 6 line 35 through col. 7 line 5).

One of ordinary skill in the art would have been motivated to perform such a modification for decomposing print copy into digital format for use in the hypertext-based format so that it may be easy access using current standards browser such as Mosaic, Netscape and Microsoft (as taught by Michell at he Abstract), and further advantage of mixing advertisements with information dissemination are newspapers in a dynamic and easy to read manner, (as taught by Reilly at col.1, line 35 through col. 2, line 60).

Therefore the previous rejection was proper.